

## **ADMINISTRATIVE AMENDMENTS**

Applicant hereby requests that the Attorney Docket number be changed. The former docket number was ES-1001 and the new docket number is 30330.1. The revision is necessary to ensure that all correspondence with the Patent Office is properly managed and Responses are appropriately filed.

## **AMENDMENTS TO THE SPECIFICATION**

Applicant previously submitted two Preliminary Amendments with the intention of further preparing the Application for examination by the Examiner. Unfortunately, several errors were noted with regard to paragraph numbering in the published application, Pub. No. US 2004/0200143 A1 that necessitate further clarification. Applicant requests Examiner's tolerance and understanding in repeating prior amendments made to the Specification in order to ensure clarification.

Please amend paragraph 0005 of the specification as shown below:

[0005]        It is well known various plants require support systems in order to grow and flourish. Various plant containers such as flower pots, window boxes and the like are configured to contain dirt in an enclosure with one open end, or simply sidewalls and a bottom, so as to grow a plant. The primary benefit of a pot is to contain dirt, however, conventional pot or container designs do not support or contain the plant and have other [[have]] disadvantages of stability or tipping as plants grow larger. Moreover, conventional container[[s]] designs are not split or otherwise configured to be placed

around an already existing plant or to provide benefits of protection for sprouting and [[or out]] for out-of-bloom plants in the garden.

Please amend paragraph 0006 of the specification as shown below:

[0006]        One of the know methods is a stake for supporting growing and confining vegetation. The conventional designs are replete with staking and trellis support structures of a myriad of designs and applications with protective coverings for frost and other adverse conditions. Some staking devices utilize a cage structure formed from poles, wire or mesh that implements various means of making the support system adjustable, foldable or the like for off season disassembly and reassembly. For example, U.S. Patent No. 6,088,956 discloses a foldable, plant stake or support device utilizing metal rods and circular hoops attached to the rods to form a cage as well as a protective barrier to be secured to the cage. U.S. Patent No. 5,913,477 discloses a combined support and irrigation system. U.S. Patent No. 5,826,375 discloses a modular trough system for plants that can be arranged in several configurations. U.S. Patent No. 5,711,107 discloses a modular support rod-like system for plants that can be arranged in several configurations. U.S. Patent No. 5,349,780 discloses a plant stake or support device with easy attachment portions for securing a plant stem and or fencing to the ribs of the stake. Similarly, U.S. Patent No. 4,860,489 discloses an adjustable plant cage and support having posts, a plastic coil and clamps for attaching the coil to the posts; the plastic cage is an adjustable cage for confining a plant and for elongating the cage by moving the clamps affixed to the posts to stretch the coil on the posts. U.S. Patent No. 4,785,576 also discloses a triangular [[a]] pole and cage system that can be arranged into

hexagonal pods. U.S. Patent No. 4,752,341 also discloses a radial [[a]] pole and trellis system that can be arranged into hexagonal pods. U.S. Patent No. 5,063,709 discloses a trellis support device for creating a vine canopy that can be fastened to existing wood or metal grape stakes. U.S. Patent No. D406,021 and Des. 411,722 discloses a foldable, plant stake or support device utilizing metal rods and circular hoops attached to the rods to form a cage.

Please amend paragraph 0007 of the specification as shown below:

[0007] It also is well known in the agricultural arts that careful attention to the soil, air and water improves a plant's [[plants]] ability to grow and flourish. For example, U.S. Patent No. 4,255,898 discloses a trough system for separating service and growing channels to maximize the large-scale ~~large-seale~~ growing of plants. U.S. Patent No. 4,888,912 discloses agricultural envelope ~~envelop~~ structure to create a structure for aquatic plants. U.S. Patent No. 4,231,187 discloses a large-scale ~~large-seale~~ agricultural structure to separate [[and]] hydrophilic columns for a plant support system that can be arranged on a base and support having a permeable floor forming thereby a column to enhance the use of air and water. U.S. Patent No. 4,178,715 discloses a large-scale ~~large-seale~~ channel culture array configured as a V-shaped channel that can be arranged in a side-by-side relationship for maintaining the soil in which a plant is growing in a wetted condition using saline water, whereby the saline water does not contact the soil. Similarly, U.S. Patent No. 4,107,876 discloses an inverted V-Channel floor of a planter for large-scale ~~large-seale~~ operations to improve water and nutrient transfer to the soil packed on the channel floor.

Please amend paragraph 0008 of the specification as shown below:

[0008]        However, the support structures consisting of wire, mesh and coil do not present an attractive appearance for the home gardener and are applicable to large-scale ~~large-scale~~ agricultural endeavors. Other prior art structures do not address creating a barrier for ~~for~~ holding all foliage and flowers off of the earth to prevent the plant from becoming infected, rotten or uprooted as is advantageously provided by the plant collar of the present invention. It is therefore an object of the present invention to satisfy this need.

Please amend paragraph 0009 of the specification as shown below:

[0009]        ~~{Insert Final Versions of Broadest System and Apparatus claims as Last Step}~~ The invention provides a combination support system and protective collar for foliage growing in a generally upward direction. More particularly, the invention provides support to maintain a generally upward configuration of the foliage. The support or collar comprises a plurality of wall sections that are fastened to one another such that the wall sections cooperate to define a substantially continuous shape periphery, base and upper edge. The walls can be fastened and unfastened to promote the placement of the support around a lower portion of the foliage, which foliage may already be rooted within the ground.

Please amend paragraph 0016 of the specification as shown below:

[0016] [FIG. 6] FIG. 6A, FIG. 6B and FIG. 6C illustrate[[s]] decorative hardware and its attachment to the collar according to an embodiment of the present invention.

Please amend paragraph 0018 of the specification as shown below:

[0018] As shown in Fig. 1, the [[The]] collar and support system 10 is configured having a generally cylindrical shape with side portions 12 and 14. Each of the side portions 12 and 14 have a lower flange 16 forming a base configured to rest on the ground or to otherwise provide a stable base to rest on. Side portions 12 and 14 also include an upper edge 18 configured to be smooth as this edge will engage and adaptively support the plant or other vegetation that the collar is put around. As shown in FIGS. 2-4, each [[Each]] of the side portions further has holes 20 formed in the side portions 12 and 14 along an edge 22 that are configured to secure together the two halves of the side portions 12 and 14 using a fastener 26 [[24]]. The fastener 26 [[24]] can be standard hardware construction such as a twist tie, plastic cable tie or other common hardware such as wire, bolts and the like. The collar and support system 10 also can have decorative caps, for example, an oak leaf and acorn cap design shown as fastener 26 as is shown in FIGS. 1 and 6A, and likewise, a flower cap design 28 and a buckle cap design 30, as is shown in FIGS. 6B and 6C. ~~The decorative cap 26 can be used with the fastener 26 slideably engages 24 to close through~~ holes 20 formed in side portions 12 and 14 so as to hide the holes 20 decoratively. Furthermore, the flange 16 of side portions 12 and 14 is configured to include holes 32 for a fastener 34 such as a wooden stake to secure the collar at the base to the ground.